

REMARKS

Claims 1, 4-27, 29, 31-41, 43-49, and 56-68 were pending and presented for examination. In an Office Action dated June 2, 2008, claims 1, 4-27, 29, 31-41, 43-49, and 56-68 were rejected. Applicants thank the Examiner for examination of the claims pending in this application and address the Examiner's comments below. Based on the above Amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections, and withdraw them.

Response to Rejection Under 35 USC §103(a)

In the 3rd paragraph of the Office Action, the Examiner rejects claims 1, 16, 21, 24, 25, 41, 47, and 56-65 under 35 USC §103(a) as allegedly being unpatentable over U.S. Patent No. 5,633,723 ("Sugiyama"), U.S. Patent No. 5,987,226 ("Ishikawa"), U.S. Patent No. 6,556,241 ("Yoshimura"). This rejection now is traversed.

As amended, independent claim 1 recites a printer comprising, *inter alia*, **"a multimedia processing system within the printer ... that issues a command that controls the media source to transmit [] time-based media data to the printer."**

These aspects of the claimed invention are not disclosed or suggested by the cited references, considered alone or in the combination proposed by the Examiner. As a preliminary matter, the Examiner admits that neither Sugiyama nor Ishikawa disclose this element. Office Action dated June 2, 2008, p. 3 ("Office Action" herein).

Yoshimura does not remedy the deficiencies of Sugiyama and Ishikawa. Yoshimura merely describes a camera server and a camera controller which allow a user operating a client to

control a camera apparatus remotely by relaying user-generated commands from the client. *See* Yoshimura, FIGS. 1 and 5-7. At best, Yoshimura describes the client, camera server, and camera controller as performing various translations during the relay process to respectively output operation demands, operation commands, and control commands. However, all of these are directly precipitated by and directly correspond to a received user input. Hence, in Yoshimura it is the user that ultimately manages the camera apparatus. *See* Yoshimura, FIG. 5-7 and col. 3, lines 19-30. Thus, Yoshimura is unlike the claimed invention, wherein it is **because** of the command issued by the multimedia processing system that the media source operates. Not only do the elements of Yoshimura merely receive a user-generated command in one form and translate it for transmission to another device, none of the elements of Yoshimura reside within a printer as Yoshimura has nothing to do with printers or printing. Indeed, neither “printer” nor “printing” appear anywhere within Yoshimura. As a result, the Examiner is forced to rely on a combination of Yoshimura and the printer of Sugiyama and the printing system of Ishikawa.

In so doing, the Examiner combines Yoshimura’s sending commands to a media source – in a context far removed from any printer, with a printer. Claim 1 specifically recites that the multimedia processing system is “within the printer,” and that the multimedia system (i.e., part of the printer) is what “issues a command that controls the media source.” The Examiner’s proposed combination thus appears to be based on improper hindsight reasoning, with guidance gleaned solely from Applicants’ own disclosure. *See* MPEP 2145 (Examiner’s rationale may “not include knowledge gleaned only from applicant’s disclosure”).

Further, such piecemeal treatment of the claim has rendered it senseless. The recited element is “a multimedia processing system within [a] printer that issues a command that

controls [a] media source.” The functions that the Examiner attempts to show external to a printer are aspects that the language of the claims requires to be present “within the printer.”

Thus, the deficient disclosures of these references, considered either alone or in the combination suggested by the Examiner, also fail to establish even a *prima facie* basis from which a proper determination of obviousness under 35 U.S.C. § 103(a) can be made.

The Examiner alleges that “[t]he combination of Sugiyama and Ishikawa is combinable with Yoshimura....” Even if this is true, the standard is not whether the references *can* be combined, but what the combined teachings would have suggested to those of ordinary skill in the art. Specifically, to combine Yoshimura with the other references, Yoshimura’s camera server, camera controller, client, and user would need to be integrated into the printer for the reasons discussed above. At a minimum, this would take the elements of Yoshimura far afield of their “established functions,” precluding the “predictability” of such combining and making it unlikely that the claimed invention would be obvious to those of skill in the art. Thus, the claimed invention is “more than a predictable use of [these] prior art elements according to their established functions.” See *KSR*, 127 S.Ct. 1727, 1739 (2007).

Thus, Applicants submit that claim 1 is patentably distinguishable over the cited references.

Independent claim 41 recites a method comprising, *inter alia*, “**issuing a command** from a multimedia processing system within the printer **that controls the media source** to transmit [] time-based media to the printer.” Thus, Applicants submit that arguments similar to those presented above with respect to independent claim 1 are applicable to independent claim 41. Hence, Applicants submit that claim 41 also is patentably distinguishable over the cited references.

Claims 16, 21, 24, 25, 47, and 56-65 variously depend from claims 1 and 41, which were shown above to be patentable over the cited references. In addition, these claims recite additional features not shown in the cited references. For these reasons, Applicants submit that claims 16, 21, 24, 25, 47, and 56-65 also are patentably distinguishable over the cited references.

In the 4th paragraph, claims 4-6 and 43-44 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura and U.S. Patent No. 6,193,658 B1 (“Wendelken”). This rejection now is traversed.

Claims 4-6 and 43-44 variously depend from claims 1 and 41, which were shown above to be patentably distinct over Sugiyama, Ishikawa, and Yoshimura, alone or in the suggested combination. Wendelken does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Wendelken is cited merely to show generating a printed output on video paper, storing an electronic output on a media recorder, or storing an electronic output on a removable storage device. Even assuming *arguendo* that Wendelken shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Wendelken of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” or “**issuing a command** from a multimedia processing system within the printer **that controls the media source** to transmit [] time-based media to the printer” as claimed. Thus, Applicants submit that claims 4-6 and 43-44 are patentable over Sugiyama, Ishikawa, Yoshimura, and Wendelken, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 5th paragraph, claims 7 and 45 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, Wendelken, U.S. Patent Publication No. 2003/0220988 A1

("Hymel"), and US Patent Publication No. 2002/0185533 A1 ("Shieh"). This rejection now is traversed.

Claims 7 and 45 variously depend from claims 1 and 41. Applicants have shown above that claims 1 and 41 are patentably distinct over Sugiyama, Ishikawa, Yoshimura, and Wendelken, alone or in the suggested combinations.

Neither Hymel nor Shieh, alone or together, remedy the above-stated deficiencies of Sugiyama, Ishikawa, Yoshimura, and Wendelken, nor does the Examiner assert they do. Rather, Hymel is cited merely to show that a removable storage device may be selected from a group consisting of a DVD, a CD-ROM, an audio cassette tape, a video tape and a computer disk and Shieh is cited merely to show that a removable storage device may be selected from a group consisting of a flash card and a memory stick. Even assuming *arguendo* that Hymel and Shieh show that which the Examiner cites them for, Applicants can find no disclosure or suggestion in Hymel and Shieh of "a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer" or "**issuing a command** from a multimedia processing system within the printer **that controls the media source** to transmit [] time-based media to the printer" as claimed. Thus, Applicants submit that claims 7 and 45 are patentable over Sugiyama, Ishikawa, Yoshimura, Wendelken, Hymel, and Shieh, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 7th paragraph claims 9, 11-12 and 18 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and Shieh. This rejection now is traversed.

Claims 9, 11-12 and 18 depend from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, Yoshimura, and Shieh. Thus, Applicants submit that claims 9, 11-12, and

18 also are patentable over these references, alone or in the combination suggested by the Examiner, for the reasons discussed above.

In the 10th paragraph claims 15, 20, 22, 46 and 48 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, Hymel. This rejection now is traversed.

Claims 15, 20, 22, 46 and 48 variously depend from claims 1 and 41, shown above to be patentably distinct over Sugiyama, Ishikawa, Yoshimura, and Hymel. Thus, Applicants submit that claims 15, 20, 22, 46, and 48 also are patentable over these references, alone or in the combination suggested by the Examiner, for the reasons discussed above.

In the 6th paragraph claims 8 and 38-40 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and Chino US. Patent No. 6,118,888 (“Chino”). This rejection now is traversed.

Claims 8 and 38-40 depend from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, and Yoshimura, alone or in the suggested combination. Chino does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Chino is cited merely to show an interface comprising an ultrasonic pen capture device or a multimedia processing system comprising an image detection system, a face recognition system, or a speech recognition system. Even assuming *arguendo* that Chino shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Chino of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claims 8 and 38-40 are patentable over Sugiyama, Ishikawa, Yoshimura, and Chino, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 8th paragraph claim 10 is rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and U.S. Patent Pub. No. 2002/0010641 (“Stevens”). This rejection now is traversed.

Claim 10 depends from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, and Yoshimura, alone or in combination. Stevens does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Stevens is cited merely to show an interface comprising a wireless communication interface. Even assuming *arguendo* that Stevens shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Stevens of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claim 10 is patentable over Sugiyama, Ishikawa, Yoshimura, and Stevens, alone or in the combination suggested by the Examiner, by reason of its dependency and the further limitations recited therein.

In the 9th paragraph claims 13-14 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and U.S. Patent No. 5,436,792 (“Leman”). This rejection now is traversed.

Claims 13-14 depend either directly or indirectly from claim 1, shown above to be patentably distinguishable over Sugiyama, Ishikawa, and Yoshimura, alone or in combination. Leman does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Leman is cited merely to show an interface comprising a docking station, wherein the docking station is built into the printer. Even assuming *arguendo* that Leman shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Leman of “a multimedia processing system within [a] printer ...

that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claims 13-14 are patentable over Sugiyama, Ishikawa, Yoshimura, and Leman, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 11th paragraph claims 17, 29 and 33-35 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and U.S. Patent Pub. No. 2002/0048224 (“Dyger”). This rejection now is traversed.

Claims 17, 29 and 33-35 depend from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, and Yoshimura, alone or in combination. Dyger does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Dyger is cited merely to show an interface comprising a port for connecting a peripheral device, the port selected from a group consisting of SCSI, IDE, RJ11, composite, a multimedia processing system that communicates with a media source (the multimedia processing system not being within a printer and not issuing commands to control the media source), or an interface comprising a database server, wherein the database server comprises a music catalog or a video database. Even assuming *arguendo* that Dyger shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Dyger of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claims 17, 29 and 33-35 are patentable over Sugiyama, Ishikawa, Yoshimura, and Dyger, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 12th paragraph claim 19 is rejected as being allegedly unpatentable over Sugiyama, Ishikawa, Yoshimura, Shieh, Hymel, and U.S. Patent No.5,568,406 (“Gerber”). This rejection is traversed.

Claim 19 depends from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, Yoshimura, Shieh, and Hymel, alone or in the suggested combinations. Gerber does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, Yoshimura, Shieh, and Hymel, nor does the Examiner assert that it does. Rather, Gerber is cited merely to show a removable storage reader comprising a media reader selected from a group consisting of a DVD reader, a flash card reader, a memory stick reader, a CD reader, a computer disk reader, and an SD reader. Even assuming *arguendo* that Gerber shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Gerber of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claim 19 is patentable over Sugiyama, Ishikawa, Yoshimura, Hymel, Shieh, and Gerber, alone or in the combination suggested by the Examiner, by reason of its dependency and the further limitations recited therein.

In the 13th paragraph claims 23 and 49 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, Shieh, Hymel and US. Patent No. 4,881,135 (“Heilweil”). This rejection now is traversed.

Claims 23 and 49 variously depend from claims 1 and 41, shown above to be patentably distinct over Sugiyama, Ishikawa, Yoshimura, Shieh, and Hymel, alone or in the suggested combinations. Heilweil does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, Yoshimura, Shieh, and Hymel, nor does the Examiner assert that it does. Rather, Heilweil is cited merely to show a media source comprising a media input device selected from a group

consisting of a DVD reader, a video cassette tape reader, a CD reader, an audio cassette tape reader, a flash card reader, a digital video recorder, a video capture device, and a meeting recorder. Even assuming *arguendo* that Heilweil shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Heilweil of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” or “**issuing a command** from a multimedia processing system within the printer **that controls the media source** to transmit [] time-based media to the printer” as claimed. Thus, Applicants submit that claims 23 and 49 are patentable over Sugiyama, Ishikawa, Yoshimura, Hymel, Shieh, and Heilweil, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 14th paragraph claim 26 is rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and Ohnishi (US Patent 4,807,186). This rejection now is traversed.

Claim 26 depends directly from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, and Yoshimura, alone or in combination. Ohnishi does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Ohnishi is cited merely to show a multimedia processing system generating a bar code, the bar code corresponding to a video segment in the video stream. Even assuming *arguendo* that Ohnishi shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Ohnishi of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claim 26 is patentable over Sugiyama, Ishikawa, Yoshimura, and Ohnishi, alone or in the combination suggested by the Examiner, by reason of its dependency and the further limitations recited therein.

In the 15th paragraph claim 27 is rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and Huberman (US Patent 6,115,718). This rejection now is traversed.

Claim 27 depends from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, and Yoshimura, alone or in the suggested combinations. Huberman does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Huberman is cited merely to show a multimedia processing system configured to generate a web page representation of multimedia. Even assuming *arguendo* that Huberman shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Huberman of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claim 27 is patentable over Sugiyama, Ishikawa, Yoshimura, and Huberman, alone or in the combination suggested by the Examiner, by reason of its dependency and the further limitations recited therein.

In the 17th paragraph claim 36 is rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, Dygert, and Huberman. This rejection now is traversed.

Claim 36 depends from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, Yoshimura, Dygert, and Huberman. Thus, Applicants submit that claim 36 also is patentable over these references, alone or in the combination suggested by the Examiner, for the reasons discussed above.

In the 16th paragraph claims 31-32 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and U.S. Patent Publication No. 2002/0169849 (“Schroath”). This rejection is traversed.

Claims 31-32 depend from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, and Yoshimura, alone or in the suggested combinations. Schroath does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Schroath is cited merely to show a multimedia processing system configured to automatically detect a communicative coupling of a media source or to automatically download multimedia data from the media source. Even assuming *arguendo* that Schroath shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Schroath of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claims 31-32 are patentable over Sugiyama, Ishikawa, Yoshimura, and Schroath, alone or in the combination suggested by the Examiner, by reason of their dependency and the further limitations recited therein.

In the 18th paragraph claim 37 is rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and U.S. Patent No. 4,754,485 (“Klatt”). This rejection now is traversed.

Claim 37 depends from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, and Yoshimura, alone or in the suggested combinations. Klatt does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Klatt is cited merely to show a multimedia processing system comprising a text-to-speech system. Even assuming *arguendo* that Klatt shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Klatt of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claim 37 is patentable over Sugiyama, Ishikawa, Yoshimura, and Klatt, alone or in the combination

suggested by the Examiner, by reason of its dependency and the further limitations recited therein.

In the 19th paragraph claims 52-55 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and U.S. Patent No. 5,432,532 (“Mochimaru”). Claims 52-55 were cancelled in an Amendment filed April 2, 2008, rendering their rejection moot.

In the 20th paragraph claim 66-67 are rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and U.S. Patent Pub. No. 2002/0137544 A1 (“Myojo”). This rejection now is traversed.

Claims 66-67 depend from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, and Yoshimura, alone or in the suggested combinations. Myojo does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Myojo is cited merely to show a multimedia processing system configured to output a status message. Even assuming *arguendo* that Myojo shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Myojo of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claims 66-67 are patentable over Sugiyama, Ishikawa, Yoshimura, and Myojo, alone or in the combination suggested by the Examiner, by reason of its dependency and the further limitations recited therein.

In the 21st paragraph claim 68 is rejected as allegedly being unpatentable over Sugiyama, Ishikawa, Yoshimura, and U.S. Patent No. 6,556,241 B1 (“Gerszberg”). This rejection now is traversed.

Claim 68 depends from claim 1, shown above to be patentably distinct over Sugiyama, Ishikawa, and Yoshimura, alone or in the suggested combinations. Gerszberg does not remedy the above-stated deficiencies of Sugiyama, Ishikawa, and Yoshimura, nor does the Examiner assert that it does. Rather, Gerszberg is cited merely to show a multimedia processing system configured to output audio. Even assuming *arguendo* that Gerszberg shows that which the Examiner cites it for, Applicants can find no disclosure or suggestion in Gerszberg of “a multimedia processing system within [a] printer ... that **issues a command that controls the media source** to transmit [] time-based media data to the printer” as claimed. Thus, Applicants submit that claim 68 is patentable over Sugiyama, Ishikawa, Yoshimura, and Gerszberg, alone or in the combination suggested by the Examiner, by reason of its dependency and the further limitations recited therein.

Conclusion

In sum, Applicants respectfully submit that claims 1, 4-27, 29, 31-41, 43-49, and 56-68, as presented herein, are patentably distinguishable over the cited references. Therefore, Applicants request reconsideration of the basis for the rejections to these claims and request allowance of them.

In addition, Applicants respectfully invite the Examiner to contact Applicants' representative at the number provided below if the Examiner believes it will help expedite furtherance of this application.

Respectfully submitted,
PETER E. HART, ET AL.

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